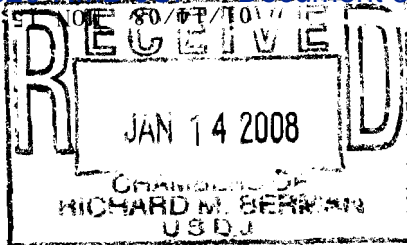


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OCCHIPINTI

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January 14, 2008

Via facsimile, with permission

Fax number (212) 805-6717

Honorable Richard ~~D.~~^{M.} Berman
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 650
New York, New York 10007

MEMO ENDORSED
As modified

Re: Gucci America, Inc. v. Jennifer Gucci, et al.
07 Civ. 6820 (RMB)(JCF)

Dear Judge Berman:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE 1/14/08

We represent defendant's Edward Litwak and Jennifer Gucci. Further to Your Honor's rulings and directions at the January 10th conference in this matter, we have received input from all counsel and respectfully submit, for the Court's consideration and approval, what we understand to be the Court's rulings and schedule, advancing the trial in this matter and extending the TRO, on consent. In doing so, we have also incorporated the dates previously set by Magistrate Judge Francis in his prior Order, so all dates will be incorporated in one schedule, to be "so ordered" by the Court.

1. A bench trial on this action shall commence on Monday, April 21, 2008, in Courtroom 21D of the United States Courthouse, 500 Pearl Street, New York, NY at 9 a.m.;
2. A joint pre-trial Order, agreed to by counsel for the parties, together with the direct testimony by affidavit of each witness (no longer than 10 pages, double spaced) shall be submitted to the Court on March 31, 2008;
3. A pre-trial submission of proposed Findings of Fact and Conclusions of Law will not be made; but the Court may decide to ask for such submissions post trial;
4. As previously ordered by Magistrate Judge Francis, all discovery shall be completed by February 29, 2008; and any dispositive motion shall be filed on or before March 31, 2008, in conformity with Judge Berman's rules. In the

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event a dispositive motion is made, ~~the pretrial order shall be due thirty days after the motion is decided;~~ *it shall be made along w. th + as part of the party's motion in limine + be due on 3/31/08 along w. th pretrial order.* RMB

5. This matter is referred back to Magistrate Judge Francis for further settlement discussions which are to take place, subject to Judge Francis' schedule, as soon as practicable; and the parties are directed to participate in such settlement discussions in good faith; and
6. The temporary restraining order, initially entered on August 20, 2007, and most recently extended on January 4, 2008, shall continue to remain in effect, on consent, through the ~~trial~~ *trial* of this matter, unless otherwise ordered by the Court.

Respectfully yours,

Edward G. Williams

Edward G. Williams

cc: All counsel, by facsimile

SO ORDERED:

Date: January 14, 2008

RMB

Richard P. Berman, USDJ

m.